

NINTH DAY

(Tuesday, January 22, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,
January 22, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 5, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment, and be printed.

WEINERT, Chairman.

Austin, Texas,
January 22, 1956.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 8, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass, with attached amendment, and be printed.

WEINERT, Chairman.

Co-Author of Senate Bill 80

On motion of Senator Aikin and by unanimous consent, Senator Phillips will be shown as Co-Author of Senate Bill No. 80.

Senate Bills on First Reading

The following Senate bills were introduced, read first time, and referred to the committees indicated:

By Senators Hardeman, Rogers and Aikin:

S. B. No. 95, A bill to be entitled "An Act to authorize and provide for professional unit allocations for Foundation School Program Act and Fund purposes, determinable on a sparse area formula approved by the State Board of Education applicable to any school district containing one hundred (100) square miles or more and having fewer than one (1) pupil per square mile and which operates and maintains a four-year accredited high school; requiring certain considerations by the State Commissioner of Education; providing the beginning effective date of this Act; and declaring an emergency."

To the Committee on Education.

By Senator Moffett:

S. B. No. 96, A bill to be entitled "An Act amending Chapter 318, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended by Chapter 324, Acts of the Fifty-second Legislature, Regular Session, 1951, as amended by Chapter 170, Acts of the Fifty-third Legislature, Regular Session, 1953, as amended by Chapter 520, Acts of the Fifty-fourth Legislature, Regular Session, 1955; providing the duties of the Veterans' Land Board; providing for the bonds of the citizen Board members; providing the compensation of the citizen Board members; and declaring an emergency."

To the Committee on Military and Veteran's Affairs.

By Senator Herring:

S. B. No. 97, A bill to be entitled "An Act amending Article 21.28 of the Insurance Code of Texas, relating to liquidation, rehabilitation, re-

organization and conservation of insurers; creating the Board of Insurance Liquidation of the State of Texas and conferring upon the Board the power to appoint the insurance liquidator and to supervise certain activities and policies of the liquidator and his office; making other changes relative to the organization and administration of the liquidator's office; and declaring an emergency."

To the Committee on Insurance.

By Senator Herring:

S. B. No. 98, A bill to be entitled "An Act to establish and create a Criminal Judicial District of Travis county and a Criminal District Court of Travis County; providing for the jurisdiction of and procedure in said Court; fixing the time for holding the terms of said Court; providing for the election, tenure of office, qualifications, duties, powers and compensation of a Judge of said Court; validating all bonds, recognizances, writs and processes of every kind issued out of or made returnable to the District Court of the 53rd, 98th and 126th Judicial Districts, making the same returnable to the Criminal District Court of Travis County; providing that judge of said Court and judges of district courts of Travis County may exchange benches and hear cases for each other in the same manner now provided by law for the judges of district courts of Travis County; providing that the sheriff, district attorney, county attorney and district clerk of Travis County shall be the officers of said Court in their respective capacities under the same rules and regulations as are now, or may hereafter be, prescribed by law for the governing of such officers; relieving the judges of the district courts of Travis County of the mandatory duty of impaneling grand juries as now provided by law; providing when this Act shall go into effect; providing that if any part of this Act shall be held invalid the remainder shall be valid; repealing all laws in conflict herewith and declaring an emergency."

To the Committee on Legislative, Congressional and Judicial Districts.

By Senator Herring:

S. B. No. 99, A bill to be entitled "An Act concerning the practice of barbering in this State; amending Articles 728, 729, 730, 731, 732 and 733, Revised Penal Code of Texas,

1925; re-defining what shall constitute practice of barbering; removing the provisions affecting and concerning beauty parlors from Articles 728 through 733, Revised Penal Code of Texas, 1925; and amending Sections 4, 6, 9, 13, 20, 23, 24 and 27 of House Bill 104, Chapter 65, Acts of the 41st Legislature, First Called Session, as amended; re-defining the practice of barbering; removing the provisions of the Act concerning beauty parlors and other similar establishments; removing all provisions requiring a "Class B Certificate"; consolidating existing provisions regarding requirements of persons who desire to practice in this State, who have practiced in another state; increasing certain fees; adding a provision to that section which defines certain misdemeanors; providing that members of the Board shall now be placed on a salary basis; altering the requirements for the position of secretary; providing that no more than 10% shall be taken away from the special fund and given to another State fund; providing for representation of certain members of the Board by the Attorney General in certain situations; stating the effect of this Act on current registration fees; protecting the existing holders of Class B certificates as to their continued practice in accordance with those certificates; and providing for severability; and declaring an emergency."

To the Committee on Public Health.

By Senators Hazlewood, Rogers and Owen:

S. B. No. 100, A bill to be entitled "An Act amending Article 6479 of the Revised Civil Statutes of Texas as amended by Chapter 198 of the Acts of the First Called Session of the 39th Legislature, as amended by Senate Bill No. 331, Page 281, Chapter 111, Acts of the 43rd Regular Session of the Legislature, 1933, relating to passenger service on railroads by prescribing certain conditions under which the requirement of one train a day may be excepted; providing a repealing clause and providing a severability clause."

To the Committee on Transportation.

By Senator Hazlewood:

S. B. No. 101, A bill to be entitled "An Act relating to agriculture and the use of natural gas on the premises from which it is produced to pump to

the surface water to be used for irrigation on such premises; declaring such use to be a preferred use; requiring producers of natural gas to furnish such gas for such uses upon request of the person or persons engaged in agricultural activities upon the premises from which the gas is produced; providing for payment for natural gas so used; providing for application to the Railroad Commission of Texas to determine the terms and conditions of such sales and uses; providing for promulgation of rules by the Railroad Commission, and appeals therefrom; imposing liability for damages upon owner or operator of gas well or wells who fails to comply with any duty imposed by this Act; repealing all laws in conflict with this Act; providing a saving or severability clause, declaring an emergency and providing an effective date."

To the Committee on Water and Conservation.

By Senator Aikin:

S. B. No. 102, A bill to be entitled "An Act amending Section 2 of Article V of Senate Bill 116, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended by Senate Bill 90, Chapter 198, Acts of the 52nd Legislature, Regular Session, 1951, (Article 2922-15, V. C. S., as amended) to eliminate the 1949-50 exception "cost factor" clause in the fifth paragraph thereof and obsolete subsection (e) in order that transportation funds may be allotted on the formula basis established therein; Authorizing a School Bus Revolving Fund; providing that Senate Bill 355, Chapter 215, Acts of the 52nd Legislature, 1951 (Article 2922-23, V. C. S.) shall not be construed as repealed by this amendment; providing for an effective date; providing a severability clause; and declaring an emergency."

To the Committee on Education.

By Senator Aikin:

S. B. No. 103, A bill to be entitled "An Act amending Section 6 of Chapter 38, Acts of the Forty-ninth Legislature, as amended (codified as Section 6 of Article 1583-1 in Vernon's Texas Penal Code), so as to delete provisions relating to maximum working hours of policemen; to set the maximum working hours of firemen in cities of more than ten thousand inhabitants; and to provide for

the minimum number of platoons in certain cities, the designation of the working hours of platoons, and the sequence of tours of duty of platoon members; providing for severability; and declaring an emergency."

To the Committee on State Affairs.

By Senator Willis:

S. B. No. 104, A bill to be entitled "An Act providing for the regulation of the practice of ophthalmic dispensing; authorizing the licensing of qualified ophthalmic dispensers; setting out qualifications of applicants for license; providing restrictions upon the practice of ophthalmic dispensing; defining terms; creating a Board of Examiners to determine the qualifications of the applicants; specifying membership, term of office, powers and duties of such Board of Examiners; prescribing examinations; requiring renewal of licenses; providing for a hearing; providing for appeal; providing for suspension of license for nonpayment of fees; providing for disposition of fees; providing for compensation of Board members; providing certain exemptions from the application of this Act; amending Title 71, Article 4565g, Chapter 10 of the Revised Civil Statutes of Texas; also amending Title 71, Chapter 6, Article 4504 of the Revised Civil Statutes of Texas; providing for a waiver clause; providing a penalty; and declaring an emergency."

To the Committee on Public Health.

By Senator Willis:

S. B. No. 105, A bill to be entitled "An Act repealing Chapter 7, Acts of the 41st Legislature, Regular Session, as amended, and as re-enacted by Chapter 569, Acts of the 51st Legislature, Regular Session, codified as Article 2168a of Vernon's Texas Civil Statutes; and further repealing Chapter 56, Acts of the 47th Legislature, and Chapter 569, Acts of the 51st Legislature, Regular Session; all of which statutes relate to mandatory continuances in court actions under certain circumstances where a party or an attorney for a party is a member of the Legislature; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Hudson and Moore:

S. B. No. 106, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and

Mechanical College of Texas, in consideration of certain benefits accruing and to accrue to the State, to convey to the United States of America certain land in Hidalgo County, Texas for the construction thereon of a federal horticultural and soils laboratory building at no expense to the State of Texas; providing for reservation of all minerals to the State of Texas for the use and benefit of the Agricultural and Mechanical College of Texas, and declaring an emergency."

To the Committee on State Affairs.

By Senator Hudson:

S. B. No. 107, A bill to be entitled "An Act making an appropriation to pay the principal of certain judgments obtained against the State of Texas in Cause No. B-19980 styled "Akin Products Company, et al., v. State of Texas," in the 93rd Judicial District Court of Hidalgo County, Texas, and in Cause No. CL-987, styled "E. C. Davis and Frank Davis, doing business as Pittman & Davis, et al., v. State of Texas," in the County Court at Law of Hidalgo County, Texas, according to the tenor, effect and reading of such judgments, providing that only the principal of such judgments be paid and that no interest be paid thereon, and declaring an emergency."

To the Committee on Finance.

By Senator Gonzalez:

S. B. No. 108, A bill to be entitled "An Act authorizing and directing the Board of Regents of The University of Texas to establish a Medical Branch or Department of The University of Texas within the County of Bexar, State of Texas; providing that the Board of Regents shall take no action until an appropriation has been made for the purpose of carrying out the provisions of this Act; authorizing the Board of Regents to prescribe courses and to make rules and regulations for the operation, control and management of the new Medical Branch or Department of The University of Texas; providing that the Board of Regents of The University of Texas shall select a suitable name for said Medical Branch or Department; authorizing the Board of Regents to accept grants or gifts of money or property which may be tendered to it from any source in the aid of the establishment of said Medical Branch or Department, or in

aid of research and teaching at the said new Medical Branch or Department of The University of Texas; providing that before acceptance of such gifts, grants, and donations the Board of Regents shall secure the opinion of the Attorney General on the title of all real property conveyed; providing that the Board of Regents shall proceed with the planning necessary for the conduct and operation of a first class medical college with a class of not less than one hundred (100) students, exclusive of all other entering classes in the present Medical Branches of The University of Texas; providing that this Act shall be severable; and declaring an emergency."

To the Committee on State Affairs.

By Senator Gonzalez:

S. B. No. 109, A bill to be entitled "An Act relating to pensions of policemen, firemen, and fire-alarm operators, in cities having a population of more than 350,000 and less than 430,000 inhabitants, according to the last preceding Federal census; amending Sections 7 and 8, of Chapter 105, page 134, Acts of Forty-seventh Legislature, 1941, as amended (commonly referred to as Vernon's Texas Civil Statutes Article 6243f); amending Section 7, thereby changing the manner, method and requirements of eligibility and participation in said pension fund; by amending Section 8, by providing from and after January 1, 1959, for the compulsory retirement of members of pension fund at age 65, with 30 years service and 30 years of pension fund contribution, and providing for loss of pension and benefits upon service after age of 65, and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 80 Referred

The President announced that Senate Bill 80, by Senator Aikin, introduced and read first time on yesterday, would be referred to the Committee on Education.

Senate Concurrent Resolution 10

Senator Herring offered the following resolution:

S. C. R. No. 10, Requesting Texas Legislative Council to study traffic accident problem on streets and highways.

Be it resolved by the Senate of the

State of Texas, the House of Representatives concurring:

Whereas, The motor vehicle street and highway transportation system in Texas, involving over 4 million drivers, 4 million vehicles; 51,000 miles of paved state highway, 26,000 miles of city streets, and 140,000 miles of county roads; and transporting 95% of all passenger miles in Texas and 77% of all commodities, is of such vital importance to the social and economic welfare of every Texas citizen and visitor; and

Whereas, Motor vehicle traffic accidents cause an annual waste in the operation of the motor vehicle street and highway transportation system in excess of 2,400 human lives, 110,000 persons injured, and 150 to 200 million dollars economic loss; and

Whereas, Known and proven control techniques exist that will reduce the traffic death toll to one-third of its present staggering total and these control techniques are being successfully applied in other states; and

Whereas, Texas has not met the minimum standards nationally established in any of the elements of this proven control program; and

Whereas, The State has a basic responsibility to manage the street and highway system efficiently and to protect its citizens; and

Whereas, The National Governor's Conference recommended the submission of the problem of Street and Highway Safety to the Legislative Councils of each state where such agency existed for continuous study; and

Now, Therefore, be it resolved by the Legislature of the State of Texas, That the Texas Legislative Council is requested to study the traffic accident problem in street and highway transportation in Texas, the laws pertaining thereto, the State agencies and their programs engaged in management and control of the street and highway transportation system, with comparisons with the laws and measures used in other states and those programs recommended by national, professional or other authoritative organizations in this field, and to submit suggestions as to possible courses of action to the 56th Legislature and its members. The Texas Department of Public Safety, the Texas Highway Department, The Texas Education Agency, The Attorney General's Office, The University of Texas,

and all other departments and agencies of the State whose activities bear on the management and control of highway transportation and traffic accident prevention, shall cooperate with the Council in making such study.

The resolution was read and was referred to the Committee on Transportation.

Senate Concurrent Resolution 11

Senator Parkhouse offered the following resolution:

S. C. R. No. 11, Granting Bi-Stone Fuel Company permission to sue the State of Texas.

Whereas, Bi-Stone Fuel Company is a Texas corporation, organized and existing under the laws of the State of Texas, with its principal office at Corsicana, Texas; and

Whereas, The said Bi-Stone Fuel Company has paid to the State of Texas gas gathering taxes beginning in the month of November, 1952, and continuing through February, 1954, said taxes being levied by Section XXIII of House Bill 285, Chapter 402, Page 740, Acts of the 52nd Legislature of the State of Texas which became effective September 1, 1951, and which said Act has been declared unconstitutional by the Supreme Court of the United States in the cases styled Michigan-Wisconsin Pipeline Company vs. Robert S. Calvert, et al. and Panhandle Eastern Pipeline Company vs. Robert S. Calvert, et al., 347 U. S. 157, 74 S. C. 396; and

Whereas, The United States Supreme Court has held that taxes paid under this Act were illegally and unlawfully extracted and that said Act was void and of no force and effect; and

Whereas, There is no provision of law whereby this money unlawfully extracted can be returned or recovered except through a direct appropriation by the legislature; and

Whereas, There is no provision in the laws of the State of Texas to accurately and definitely determine what amount of taxes, if any, should be returned; and

Whereas, In order to definitely and accurately determine the same it is the policy of this legislature to let a court of competent jurisdiction pass upon the same; and

Whereas, It is the policy of the leg-

islature of the State of Texas to give and grant to persons and corporations the right to litigate any valid claim against the State of Texas in a court of competent jurisdiction; now, therefore it

Resolved by the Senate of Texas with the House of Representatives concurring, That the Bi-Stone Fuel Company be and it is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, to recover judgment against the State of Texas for all amounts of money heretofore illegally extracted and paid by Bi-Stone Fuel Company under said unconstitutional law and service of citation for the purposes herein granted may be served upon the State of Texas by serving the Attorney General, the State Treasurer and the Comptroller of Public Accounts; and be it further

Resolved, That such suit may be filed within two years from the effective date of this resolution; and be it further

Resolved, That it is understood that the purpose of this resolution is solely to grant permission to bring suit against the State of Texas and no admission of the liability on the part of the State or of any fact is made by this resolution.

The resolution was read and was referred to the Committee on Jurisprudence.

Executive Session

On motion of Senator Lock and by unanimous consent, the Senate agreed to hold an executive session at 10:55 o'clock a.m. today.

Accordingly, the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Branch Pilots, Brazos River and Bar, Freeport, for two-year terms to expire February 2, 1958: Kenneth Gonzales of Brazoria County, Alvin A. Miller of Brazoria County.

To be Branch Pilots for Brazos

Santiago Pass, Bar and Tributaries, for two-year terms to expire July 12, 1957: John A. Fuller of Cameron County, Francis M. Kershaw of Cameron County; for two-year term to expire August 8, 1958: Stanley E. Ridley of Cameron County.

To be Branch Pilots for Brazos Santiago Pass, Bar and Tributaries, for two-year terms to expire August 17, 1957: Cecil F. Crawford of Cameron County, Donald F. Willett of Cameron County. For two-year term to expire January 10, 1959: Joseph A. Kelly of Cameron County.

To be Branch Pilots for Galveston Bar and Houston Ship Channel, for two-year terms (all of Harris County): J. F. Cook, for term to expire September 8, 1957; T. H. Bratcher, E. B. Mercer, Jr., A. G. Royce, for terms to expire November 7, 1957; Holt P. Daniels, for term to expire November 7, 1957; Elmer C. Bell, Paul Collie, for terms to expire November 17, 1957; Coney Townsend McMains, Charles H. Fuller, for terms to expire January 25, 1958; Lewis Bennett, Nick J. Morina, for terms to expire January 31, 1958; W. W. Steinhort, for term to expire March 8, 1958; Fred A. Parker, Curtis W. Burlison, Jack E. Rowland, for terms to expire March 26, 1958; Arthur S. Borup, Michael F. Russell, for terms to expire April 16, 1958; Harold B. Willis, R. D. Moss, Phillips Pizzitola, L. R. Murray, Jr., for terms to expire May 24, 1958.

To Be Branch Pilots, Houston Ship Channel and Galveston Bar, for term to expire December 13, 1958: I. E. Wicker of Harris County; for term to expire December 27, 1958: Charles W. Barfield of Harris County.

To be Branch Pilots for Port Aransas Bar, Corpus Christi Bay and tributaries, for terms to expire January 3, 1958: J. R. DeForest of Nueces County, A. T. Mathews of Nueces County. For two-year terms to expire February 6, 1958: Harold Percy Lister, Jr., of Nueces County, Ollin Shepard of Nueces County. For two-year terms to expire March 26, 1958: Robert J. Haywood, Jr., of Nueces County, John O. Teller of Nueces County. For two-year terms to expire June 13, 1958: Virgil Thomas Lindley of Nueces County, John Frederick Mathisen of Nueces County. For two-year term to expire August 28,

1958: Max J. Luther, Jr., of Nueces County.

To be Branch Pilots for the Port of Galveston and Texas City for two-year terms, (all of Galveston County), to expire July 25, 1957: Sherman B. Wetmore, Basil V. O'Brien. To expire August 29, 1957: George W. Crosby, Robert W. Howard, Harold F. Johnson, Ralph M. Watson. To expire November 7, 1957: Charles H. Heidrick. To expire March 6, 1958: Charles H. Teller, Richard C. McMains. To expire September 10, 1958: Kent O. Barton. To expire October 30, 1958: Giles W. Hatch.

To be Branch Pilots, Sabine Bar, pass and tributaries, for two-year terms, (all of Jefferson County): C. K. Luther, R. G. Johnson, D. J. Simonton, for terms to July 5, 1957; C. M. Bancroft, for term to September 6, 1957; John M. Cox, S. W. Livingston, Arne Pedersen, for terms to October 5, 1957; G. Rodney Robinson, for term to February 2, 1958; D. A. Blanchard, C. C. Grant, L. O. Hodges, Bert Jackson, for terms to March 12, 1958; Glenn Worth, Frank D. French, for terms to April 16, 1958; Willard M. Carroll, Aubrey M. Castle, Jr., Surrey B. Ellis, James R. Livingston, O. E. Moore, Victor E. Sanford, L. S. Tibbetts, T. I. Truitt, for terms to December 4, 1958.

To be members of the Harris County Home Rule Commission, (the following from Houston): Colonel W. B. Bates, James A. Elkins, Jr., William G. Farrington, Harry H. Hedges, Jr., R. W. Henderson, Dr. Denton Kerr, Ed Kilman, Dr. David Knepper, Herman Pressler, Alf Roark, G. C. Scarborough, John Strange, Mrs. Harry Turner, Emmett Walter, Wiley Caldwell; N. E. Coward of Pasadena, Jack Emmott, Jr., of Fairbanks, Fred Hartman of Baytown, Roy Hohl, Jr., of Tomball, J. C. Thomas, Jr., of Pasadena, Albert Thompson of Katy, Gail Whitcomb of Webster, John S. Kiibler, Jr., of La Porte, Maurice Burns of Humble, John V. Wheat of Houston.

To be District Attorney, 88th Judicial District, to fill the unexpired term of Allen Mooney, resigned (effective November 10, 1956): Robert S. Coe of Kountze, Hardin County.

To Be District Attorney, 81st District Court, for the unexpired term of John F. May: Richard L. Dobie, Jr., of Cotulla, La Salle County.

To be Associate Justice, Fourth Court of Civil Appeals, San Antonio, to fill the unexpired term of Judge J. R. Norvell: H. D. Barrow of Jourdan, Atascosa County.

To be District Judge of the 102nd Judicial District, to fill the vacancy created by resignation of Judge B. L. Hutchinson: James R. Hubbard of Texarkana, Bowie County.

To be Judge of the 81st District Court, for the unexpired term of Judge H. D. Barrow: John F. May of Karnes City, Karnes County.

To be Judge of the 110th Judicial District, to fill the unexpired term of Judge Alton B. Chapman: L. D. Ratliff of Spur, Dickens County.

To be Judge of the 115th District Court, to fill the vacancy created by the resignation of Judge T. C. Chadick. Looney Lindsey of Gilmer, Upshur County.

To be Presiding Judges, Administrative Judicial Districts: Max M. Rogers of Huntsville, Walker County, District No. 2; Howard P. Green of Cuero, De Witt County, District No. 4; Penn J. Jackson of Cleburne, Johnson County, District No. 3; W. R. Blalock of Edinburg, Hidalgo County, District No. 5; Roger Thurmond of Del Rio, Val Verde County, District No. 6; O. L. Parish of Ballinger, Runnels County, District No. 7; Floyd Jones of Breckenridge, Stephens County, District No. 8; Luther Gribble of Wellington, Collingsworth County, District No. 9.

To be Secretary of State: Tom Reavley of Jasper, Jasper County.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:12 o'clock a.m. today.

Adjournment

On motion of Senator Hardeman the Senate at 11:13 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of

William Edwin Cummings

Senator Rogers offered the following resolution:

(Senate Resolution 51)

Whereas, In the passing of William Edwin Cummings, on January 8, 1957, the people of Collingsworth County and Texas lost one of its most beloved and outstanding citizens; and

Whereas, William Edwin Cummings and his family have lived in Wellington many years and had a permanent influence on the civic, charitable and religious progress of that community and of Collingsworth County; and

Whereas, William Edwin Cummings, born in Albany, Kentucky, October 28, 1863, was a well-known and highly respected citizen of Wellington for almost five decades and known throughout the State for his wisdom, his high principles and fairness; and

Whereas, William Edwin Cummings is survived by three daughters, Mrs. Flossie Neeley of Wellington, Mrs. Eula Gorrell of Anadarko, Oklahoma and Mrs. Jewell Powell of Amarillo; five sons, Palo Cummings of Wellington, William Cummings of Austin, Ice Cummings of Littlefield, Frank Cummings of Littlefield and Logan Cummings of Austin; now, therefore, be it

Resolved, That it is the desire of the Senate of the Fifty-fifth Legislature to pay tribute to this fine citizen and his family; and, be it further

Resolved, That when the Senate adjourns today it do so in his memory and that a page in the permanent Senate Journal be devoted to the recording of this Resolution; and, be it further

Resolved, That enrolled copies of this Resolution be forwarded to the surviving members of his family as a token of respect and sympathy.

The resolution was read and was adopted by a rising vote of the Senate.